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C O N F I D E N T I A L MADRID 000583

SIPDIS

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SUBJECT: GUANTANAMO DETAINEES: SPANISH POLICE SEEK ACCESS

Classified By: Charge J. Robert Manzanares per 1.5 (b) and (d).

1. (C) The Spanish National Police (SNP) have officially requested via the Embassy that the USG authorize Spanish police access to interview two Guantanamo detainees. SNP seeks to develop information regarding the two detainees' training, recruitment and deployment into Afghanistan. The two detainees are:

Omar Amer Deghayes, ISN US9LY-00727-DP (Libyan)

Jamil Abdul Latif Elbanna, ISN US9JO-00905-DP (Palestinian)

2. (C) Judge Baltasar Garzon is leading the investigation into the al Qaeda cell arrested in Spain in November 2001. Garzon believes that cell leader Eddin Barakat Yarkas, aka Abu Dahdah, recruited these two individuals in Spain. Garzon has stressed to us that he faces tight deadlines for the prosecution of Barakat Yarkas and his cell members. Garzon has told us he must have all evidence in final form to present to the prosecutor no later than April 2004. For this reason, SNP investigators and Garzon stress that getting access to the above-named detainees as soon as possible is critical.

3. (SBU) On February 13, the Spanish Council of Ministers approved Judge Garzon's request to seek the extradition to Spain from Guantanamo of Deghayes and Elbanna (and a third detainee, Lahcen Ikassrien, a Moroccan). This decision took place on the same day that the USG transferred a Spanish national Guantanamo detainee to Spanish custody for prosecution, under Garzon's direction, as a member of the al Qaeda cell and a recruit of Barakat Yarkas.
MANZANARES